Appl. No. 09/522,331
Amdt. Dated January 22, 2004
Reply to Office action of December 8, 2003

Docket No. ARAX-011

REMARKS/ARGUMENTS

In the "Response to Arguments" section of the final office action, the Patent Office has mischaracterized arguments made by the applicant in the amendment of September 12, 2003, and has additionally ignored a key argument made in that amendment. Applicant respectfully submits that the final office does not adequately respond to the amendment in light of these oversights.

Specifically, the "Response to Arguments" section alleges that "Applicant argues that Yalcinalp does not teach accessing a database". However, it was the Patent Office itself that had alleged that Yalcinalp does not teach such a step and Applicant was merely repeating that fact for the convenience of the examiner. Page 4, line 20 of the Office Action dated July 31, 2003 states that "Yalcinalp, however, is silent on accessing a database'." This mischaracterization of the applicant's argument confuses the applicant. Has the patent office changed its mind as to whether Yalcinalp is silent on accessing a database? Applicant respectfully requests that the Patent Office clarify its position on this matter.

Additionally, the "Response to Arguments" section alleges that "Applicant argues that neither Yalcinalp nor APA teach or suggest accepting a task form from the user, the task form containing data tags and/or process tags, the data tags identifying persisted and non-persisted data components...In response, the Examiner believes that the Yalcinalp teachings 'receiving a request for an input document...having tags...processing tags"... do read-on the claimed limitations." However, this grossly oversimplifies the argument made by the applicant and fails to adequately respond to it.

Applicant gave precise reasons why the invention in Yalcinalp does not teach or discuss persisted vs. non-persisted data tags. Applicant also gave precise reasons why it would not be

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obvious to modify Yalcinalp to do so. Yalcinalp has nothing do with workflow server systems, and is only concerned with transformation of content in a document. It does not care at all about the substance of the content in that document. It does not care whether it is in a task form, it does not care whether some of it is persisted, it doesn't care whether some of it is non-persisted. The final office action, however, fails to respond to these arguments, and merely generally states that somehow receiving a request for an input document having tags teaches task forms, persisted data tags, and non-persisted data tags.

Additionally, the final office action has failed to adequately address the final argument made by the applicant in response to the prior office action - that neither Yalcinalp nor APA teaches or suggests "storing said persisted data components in one or more form data tables." This argument is not mentioned at all in the "Response to Arguments" section, and the element is barely addressed in the substance of the rejection itself. The final office action alleges that "[i]t would have been obvious to apply the teaching of Yalcinalp for storing the persisted data components in one or more form data tables and accessing a database because it would have provided the capability for organizing and storing information in such a way that a computer program can quickly retrieve." However, since Yalcinalp, as discussed above, does not care at all about persisted data components, this fails to address how it would be obvious to modify Yalcinalp to make it care, and why someone would do so. M.P.E.P. 2143 states that in order to meet a prima facie case of obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." Since the final office action has failed to cite any other references in this obviousness rejection, applicant is confused as to how Yalcinalp alone teaches or suggests a distinction between persisted and non-persisted data objects that it would have no reason to care about. Has the Patent Office taken official notice of some fact that the

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applicant is not aware? If so, applicant hereby requests that the patent office cite a reference in support of this position under M.P.E.P. 2144.03 ("If the applicant traverses [an assertion taken by official notice] the examiner should cite a reference in support of his or her position.").
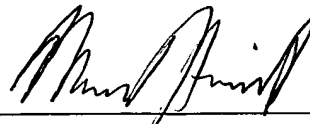
Request for Allowance

It is believed that the prior Amendment places the above-identified patent application into condition for allowance. It is also believed that the final office action does not adequately address issues raised by the applicant in a prior amendment, and thus is non-responsive to that amendment. Therefore, applicant respectfully requests that the final office action be withdrawn and that the claims be allowed. Alternatively, applicant respectfully requests that a proper rejection be issued that address the arguments made in the prior amendment in such a way that applicant can properly respond.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,
THELEN REID & PRIEST LLP

Dated: 1/22/04

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